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IT IS SO ORDERED.

Dated: September 23, 2010




Burton Perlman
United States Bankruptcy Judge

BK1001044
TLK

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
AT CINCINNATI

IN RE:

Rendia Miller

Debtor

Case No. 09-13335

Chapter 13
Judge Perlman

**AGREED ORDER ON MOTION FOR
RELIEF FROM STAY OF U.S. BANK,
N.A. BY AND THROUGH U.S. BANK
HOME MORTGAGE ITS SERVICER,
FILED HEREIN ON JUNE 4, 2010 DOC. #
45 (PROPERTY ADDRESS: 2940
COMMODORE LANE, CINCINNATI, OH
45251)**

This matter having come on before the Court upon the Motion For Relief From Stay filed herein on June 4, 2010 Pacer Document #45 by the secured Movant, U.S. Bank, N.A. by and through U.S. Bank Home Mortgage its servicer (hereinafter "Movant") (Proof of Claim #6 per the Claims Register and being Trustee's Claim #3), and upon debtor's response thereto filed herein on June 8, 2010 as Pacer Document #48; and a hearing having been

held on September 8, 2010; and it appearing to the Court that the parties have agreed to a course of action which will permit the continuation of the automatic stay conditioned upon certain provisions incorporated herein for the protection of Movant; and the Court, being otherwise fully advised in the premises, hereby makes the following findings of fact and issues the following Order with respect thereto:

1. The Chapter 13 Plan filed herein on behalf of the debtor provided that said debtor was to make the regular monthly mortgage payments to Movant outside of the Plan in a regular monthly fashion.

2. In breach of the terms of said Plan, the debtor failed to make certain of the regular monthly mortgage payments to Movant, incurring a total post-petition arrearage of \$9,114.94 as of September 30, 2010, which amount consists of:

Post Petition Payments:

Amount	Date Due
998.10	February 1, 2010
998.10	March 1, 2010
998.10	April 1, 2010
998.10	May 1, 2010
998.10	June 1, 2010
998.10	July 1, 2010
998.10	August 1, 2010
998.10	September 1, 2010

Post Petition Late Charges:

Amount	Date Due
39.82	February 16, 2010
39.82	March 16, 2010
39.82	April 16, 2010
39.82	May 16, 2010
39.82	June 16, 2010
39.82	July 16, 2010
39.82	August 16, 2010
39.82	September 16, 2010

Other Charges:

Amount	Description
180.00	Post Petition Property Inspection Fees

and \$500.00 for attorney fees associated with the Motion and \$150.00 court costs incurred herein for filing the Motion, less \$18.42 in debtor's suspense account.

3. In order to eliminate said post-petition arrearage, Movant is permitted to file a Supplemental Proof of Claim in the amount of \$9,114.94, which consists of \$500.00 for attorney fees associated with the Motion and \$150.00 for court costs incurred herein for filing the Motion and said post petition arrears of \$8,464.94 thereby reducing the arrearage to \$0.00.

4. The debtor further agrees to resume the regular monthly mortgage payments outside the Plan directly to Movant on October 1, 2010, and to make all further monthly payments in a timely fashion. All payments shall be tendered to:

**U.S. Bank Home Mortgage
4801 Frederica Street
Owensboro, KY 42301**

This payment address is subject to change.

5. In the event that the said debtor should fail to pay any future monthly payment within 15 of its due date, or should the debtor fail to make any payment to the Trustee's Office within 30 days of the last day of the month in which it is due, then, or in any one of those events, Movant shall send a letter or e-mail to debtor and debtor's counsel advising of said default. If the default is not cured within ten (10) days, Movant shall file with the Court an Affidavit certifying that the debtors are in default under the terms of the Agreed Order and tender a proposed Order Granting Final Modification of the Automatic Stay. Upon submission of such Affidavit and Order Granting Final Modification of the Automatic Stay, the Court shall enter the Order, without a hearing, providing

Movant, its successors and/or assigns is granted relief from the automatic stay imposed by Section 362 of the Bankruptcy Code. The only ground for objection to such an Order shall be that payments were timely made.

IT IS SO ORDERED.

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COPIES TO:

DEFAULT LIST

State of Ohio, Housing Finance Agency - Creditor
150 E. Gay Street
21st Floor
Columbus, OH 43215
ORDINARY U.S. MAIL, POSTAGE PRE-PAID

USA Dept. of Housing & Urban Development - Creditor
Single Family Notes Branch
451 Seventh St. SW
Washington, DC 20410
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